

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
March 10, 2015

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on March 10, 2015 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman Atwell, Councilmen Broderick, Day, Hemphill and Rubin.

Absent: Councilman Conklin.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

David Marks of T & M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2015 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Councilman Day, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

LETTER FROM BOROUGH CFO/TAX COLLECTOR HELEN L. GRAVES REPORTING THE TAX COLLECTOR'S ANNUAL STATEMENT OF RECEIPTS:

The Municipal Clerk/Administrator advised of a letter dated February 27, 2015 to the Mayor and Council from Helen L. Graves, Chief Financial Officer/Tax Collector, submitting the Tax Collector's Annual Statement of Receipts for 2014 in accordance with NJSA 54:4-91 as follows:

2014 Tax Levy	\$47,867,538.21	
Added & Omitted Levy	<u>419,262.33</u>	
Adjusted Tax Levy		\$48,286,800.54
Prior Year Prepayments	\$ 313,609.20	
Cash Receipts	47,532,493.30	
State's Share Deductions	<u>37,250.00</u>	
Total Collections	\$47,883,352.50	
Remitted/Abated/Cancelled	<u>12,620.28</u>	
Total Collections/Credits:		\$47,895,972.78
Amount Outstanding 12/31/14		\$ 390,827.76
Percentage of Collections:	99.16%	

On motion by Councilman Rubin, seconded by Councilman Broderick, this communication and report were ordered received on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

LETTER FROM T & M ASSOCIATES, INC. RECOMMENDING THE AWARD OF A CONTRACT FOR THE 2014 ROAD IMPROVEMENTS PROGRAM TO S. BROTHERS OF SOUTH RIVER, WHO SUBMITTED THE LOWEST AMOUNT OF \$1,471,159.80:

The Municipal Clerk/Administrator advised of a letter dated March 6, 2015 from T & M Associates, Inc. recommending that S. Brothers of South River New Jersey be awarded the contract for the Borough's 2014 Road Improvements Program. The Borough Engineer reported in his letter that the Borough received nine (9) sealed bids for the project on March 4, 2015 and that S. Brothers was the lowest responsive bidder for a total bid of \$1,471,159.80.

On motion by Councilman Day, seconded by Councilman Hemphill, this communication was ordered received. All in favor.

LETTER FROM RUMSON BOARD OF EDUCATION ADVISING OF THEIR ACCEPTANCE OF THE BID RECEIVED BY THE BOROUGH FOR THE REPAVING OF THE DEANE-PORTER SCHOOL PARKING LOT AND AUTHORIZE THE AWARD FOR THE PAVING PROJECT TO S. BROTHERS AS PART OF THE BOROUGH'S 2014 ROAD IMPROVEMENTS PROGRAM:

The Municipal Clerk/Administrator advised of a letter from School Business Administrator/ Board Secretary Denise Friedmann dated March 9, 2015 stating that the Rumson Board of Education would like to proceed with the paving of the Deane-Porter School parking lot. Ms. Friedmann stated in her letter that the Board was excited to be partnering with the Borough of Rumson for this project and they accept the bid price of \$72,501.40.

On motion by Councilman Hemphill, seconded by Councilman Rubin, this communication was ordered received. All in favor.

CONSENT AGENDA:

LETTER FROM AQUA-TERRA ENVIRONMENTAL INC. ADVISING OF AN APPLICATION ON BEHALF OF MR. AND MRS. MICHAEL RONGETTI TO THE STATE OF NJ DEP FOR A WATERFRONT DEVELOPMENT INDIVIDUAL PERMIT FOR THE ADDITION OF A BOAT-LIFT ON A PERMITTED DOCK FOR PROPERTY LOCATED AT 5 NORTH WARD AVENUE:

The Municipal Clerk/Administrator advised of a letter dated March 2, 2015 from Aqua-Terra Environmental Inc. on behalf of Mr. and Mrs. Michael Rongetti. The letter advised of an application submitted to the State of New Jersey Department of Environmental Protection, Division of Land Use Regulation for a Waterfront Development Individual Permit for the addition of a boat-lift on property located at 5 North Ward Avenue.

LETTER FROM CHALLONER & ASSOCIATES LLC ADVISING OF AN APPLICATION ON BEHALF OF JAMES PETERKIN TO THE STATE OF NJ DEP FOR A CAFRA GENERAL PERMIT 9 AND WATERFRONT DEVELOPMENT INDIVIDUAL PERMIT FOR CONSTRUCTION OF A FLOATING DOCK AND OPEN RAIL BOAT-LIFT ADJACENT TO THE EXISTING PIER AND CONSTRUCTION OF A POOL ON PROPERTY LOCATED AT 41 WATERMAN AVENUE:

The Municipal Clerk/Administrator advised of a letter dated March 4, 2015 from Challoner & Associates LLC on behalf of James Peterkin. The letter advised of an application submitted to the State of New Jersey Department of Environmental Protection, Division of Land Use Regulation for a CAFRA General Permit 9 and Waterfront Development Individual Permit for construction of a floating dock and open rail boat-lift adjacent to the existing pier and construction of a pool on property located at 41 Waterman Avenue.

On motion by Councilman Broderick, seconded by Councilman Day, the two (2) above communications on the Consent Agenda were ordered received. All in favor.

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

INTRODUCTION OF ORDINANCE 15-001 G TO AMEND THE GENERAL ORDINANCES CHAPTER XIII, STREETS AND SANITATION IN FIRST READING. PUBLIC HEARING SCHEDULED FOR TUESDAY, APRIL 14, 2015 AT 7:30 P.M.:

The Municipal Clerk/Administrator read the following ordinance by title only in first reading:

15-001 G

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY AMENDING CHAPTER XIII, STREETS AND SANITATION ORDINANCE

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter XIII (Streets and Sanitation) of the General Ordinances of the Borough of Rumson is hereby amended or supplemented as follows:

PURPOSE

The purpose of this Ordinance is to Amend Chapter XIII (Streets and Sanitation), Section 13-1, Regulations Concerning Streets, to amend the garbage collection and bulk pickup regulations and holiday schedule wording, and Section 13-5, Fees for Off-Street Garbage Collection, to amend the wording to include contractor and recycling, and Section 13-6, Mandatory Recycling Program, to amend the collection pickup schedules listed on the Borough Website.

Chapter XIII (Streets and Sanitation Ordinance), of the General Ordinances of the Borough of Rumson are hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):

SECTION 1.

That Chapter XXII, Streets and Sanitation, shall be amended to as follows:

**CHAPTER XIII
STREETS AND SANITATION**

13-1 REGULATIONS CONCERNING STREETS.

13-1.1 Obtaining Grades or Lines from Borough Engineer. No Change.

13-1.2 Obstructing Streets and Sidewalks; Placement of Garbage for Collection.

a. through d. No Change.

e. Regulations pertaining to garbage, trash, bulk pickup and move-in/move-out stops ~~moving stop~~ and leaves, grass and brush shall be as follows:

1. GARBAGE. No Change.

2. TRASH.

(a) Paper goods or light trash must be placed in sealed plastic bags or containers.

(b) All larger amounts of household trash and larger items other than garbage shall be removed only on “~~clean-up~~” bulk pick-up days. See schedule below.

- (c) All smaller amounts of household trash and smaller items other than garbage shall be removed on the 2nd collection weekly, limited to two (2) small items per week.

3. CLEAN-UP BULK PICKUP AND MOVE-IN/MOVE-OUT STOPS REGULATIONS.

- (a) The revised “~~clean-up~~” bulk pickup and move-in/move-out procedures (~~read paragraphs (b), (c), (d) and (e) }~~ which took effect in 1991 will remain in effect until further notice for the entire Borough. ~~Clean-up Bulk pickups and move-in/move-out stops are~~ is for normal household debris of the property in question, other than normal garbage and building material or construction debris.
- (b) Each resident will be entitled to two (2) annual ~~clean-ups bulk pickups~~ (~~not to exceed five (5) cubic yards each~~) and/or one (1) move-in and one (1) move-out stop, by appointment only calling Borough Hall in advance for an appointment.
- (c) No one will be permitted to place ~~clean-up bulk pickup~~ debris at the curb for collection any sooner than the day prior to their appointed pickup. Anyone who violates this rule will be notified by the police to remove the debris at once.
- (d) through (e) No Change.

4. MOVING STOP.

- ~~(a) Each property owner shall be entitled to one (1) move-in pickup and one (1) move-out pickup. The items to be collected must be limited to boxes and small containers. A moving stop shall not include any of the contents of the house such as old furniture, rugs, etc. Moving stops must be made by appointment at least twenty-four (24) hours in advance by call Borough Hall.~~

5. 4. LEAVES, GRASS AND BRUSH. No Change.

6. 5. PLACEMENT OF GARBAGE, TRASH, LEAVES AND BRUSH.

No Change.

13-1.2A Holiday Garbage Schedule.

There will be no garbage collection on the holidays as listed ~~in the annual~~ on the Borough DPW Brochure Website www.rumsonnj.gov. When a resident’s garbage collection day falls on one of those holidays their garbage will be picked up on the next regular collection day.

13-1.3 Placing Litter and Trash on Private Property without Permission. through 13-1.4 Permit to Encumber Street.

No Change.

13-2 STREET EXCAVATION AND OCCUPANCY. through 13-4 REMOVAL OF GRASS, WEEDS AND IMPEDIMENTS FROM SIDEWALKS.

No Change.

13-5 FEES FOR OFF-STREET GARBAGE AND RECYCLING COLLECTION.

13-5.1 Fee Stated.

After January 1, 2009 the fee for off-street collection of garbage and ~~rubbish~~ recycling from residential properties where the dwelling house is set back seventy-five (75) feet or more from the street line shall be four hundred (\$400.00) dollars for a period of one (1) calendar year, or less, payable in advance. Fees will not be prorated for periods of less than one (1) year.

13-5.2 Adequate Driving Facilities Required.

Such off-street collection shall be provided only for those properties which have driveway facilities adequate to accommodate garbage trucks of the size and shape currently in use by the Sanitation Department of the Borough or its contractor without damage to the trucks or the property from which collection is to be made. All garbage and ~~refuse~~ recycling containers from which collection is to be made shall be placed by the occupant of the premises at a point no more than fifteen (15) feet distant from that at which the garbage truck will stop and no fewer than seventy-five (75) feet from the street line.

13-6 MANDATORY RECYCLING PROGRAM.

13-6.1 Purpose. through 13-6.6 Direct Disposal of Recyclable Material by Resident.

No Change.

13-6.7 Garbage, Solid Waste, Leaves and Brush ~~Pick-up~~ Pickup Schedules.

Garbage and solid waste will be picked up from all residential property twice a week on a schedule to be fixed by the Superintendent of Public Works, as set forth ~~in~~ on the ~~annual~~ DPW page of the ~~Bulletin~~ Borough Website.

Effective July 1, 2011, garbage and solid waste for large business establishments will no longer be picked up from any containers (standard cans or dumpsters).

Effective July 1, 2011, garbage and solid waste for small business establishments will be picked up twice a week but the quantity will be limited to three (3) standard size garbage cans, as set forth ~~in~~ on the ~~annual~~ DPW page of the ~~Bulletin~~ Borough Website.

No garbage or solid waste will be picked up unless access shall be afforded at all times and the same shall be placed into the covered standard size garbage cans ([maximum 45-gallon cans and maximum weight per can of forty (40) pounds each)], as set forth ~~in~~ on the ~~annual~~ DPW page of the ~~Bulletin~~ Borough Website.

Anything herein to the contrary notwithstanding, no persons, partnership or corporation who is owner, lessee or occupant of any residential, or nonresidential property may place any solid waste of garbage in the Borough recyclables or in the Borough recyclable drop area or any other Borough street or property.

Leaves will be picked up from October 15 through December 31 only, as specified ~~in~~ on the ~~annual~~ DPW page of the ~~Bulletin~~ Borough Website.

Brush will be picked up from January 1 through November 1 only, as specified ~~in~~ on the ~~annual~~ DPW page of the ~~Bulletin~~ Borough Website.

13-6.8 Enforcement. through 13-6.11 Reserved. No Change.

13-7 CLEAN COMMUNITIES PROGRAM. No Change.

SECTION 2.

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3.

This ordinance shall take effect upon final passage and publication according to law.

Councilman Broderick moved the adoption of this ordinance in first reading. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, and Rubin.

In the negative: None.

Absent: Conklin.

Mayor Ekdahl stated that this ordinance would be published and posted and come up for final consideration and public hearing at the Tuesday, April 14, 2015 meeting of the Borough Council at 7:30 p.m.

RESOLUTION 2015-0310-41 AUTHORIZING THE BOROUGH TO APPLY TO THE STATE OF NEW JERSEY FOR A RECYCLING TONNAGE GRANT FOR 2014:

2015-0310-41

Councilman Rubin offered the following resolution and moved its adoption:

BOROUGH OF RUMSON

RESOLUTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson that the Borough of Rumson hereby endorses the submission of a Municipal Recycling Tonnage Grant Application for the year 2014 to the New Jersey Department of Environmental Protection, Office of Recycling and designates James A. Mellish, Rumson Recycling Coordinator, Borough Hall, 80 East River Road, Rumson, N.J. 07760 to ensure that the said Application is properly filed.

Resolution seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

RESOLUTION 2015-0310-42 AUTHORIZING THE SUBMISSION OF THE 2014 TAX REIMBURSEMENT CERTIFICATION OF THE SOLID WASTE RECYCLING TAX:

2015-0310-42

Councilman Hemphill offered the following resolution and moved its adoption:

BOROUGH OF RUMSON

TAX REIMBURSEMENT CERTIFICATION RESOLUTION

WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2014 in the amount of \$9,350.25. Documentation supporting this submission is available at 80 East River Road, Rumson, NJ 07760 and shall be maintained for no less than five (5) years from this date.

Resolution seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

**RESOLUTION 2015-0310-43 AUTHORIZING THE CANCELLATION OF THE
MONMOUTH COUNTY SCAT PROGRAM AGREEMENT FOR 2015:**

2015-0310-43

Councilman Rubin offered the following resolution and moved its adoption:

BOROUGH OF RUMSON

RESOLUTION AUTHORIZING THE CANCELLATION OF
THE BOROUGH'S AGREEMENT WITH MONMOUTH COUNTY
SPECIAL CITIZENS AREA TRANSPORTATION

WHEREAS, the Borough of Rumson has provided transportation one day per week to shop at a local supermarket to the Borough's eligible residents in the past through the Monmouth County Special Citizens Area Transportation (SCAT) program; and

WHEREAS, the Mayor and Council authorized renewal of the agreement between Monmouth County and the Borough for such transportation by Resolution adopted on January 1, 2015; and

WHEREAS, the Borough currently has no residents in need of such a service; and

WHEREAS, under a yearly agreement, the Borough is charged \$78.00 for a one half-day service each week, whether it is utilized by the residents or not; and

WHEREAS, Monmouth County SCAT would make the service available to any resident on a per week basis, if and when it was needed, without a formal agreement;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby authorizes the cancellation of the agreement with Monmouth County for the Monmouth County Special Citizens Area Transportation (SCAT) program for the year 2015; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer and Monmouth County.

Resolution seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

RESOLUTION 2015-0310-44 AUTHORIZING THE BOROUGH OF RUMSON TO PARTICIPATE IN THE INTRA-COUNTY MUTUAL AID AND ASSISTANT AGREEMENT WITH PARTICIPATING UNITS IN THE COUNTY OF MONMOUTH:

2015-0310-44

**BOROUGH OF RUMSON,
COUNTY OF MONMOUTH IN THE STATE OF NEW JERSEY**

**RESOLUTION AUTHORIZING THE BOROUGH OF RUMSON TO PARTICIPATE
IN INTRA-COUNTY MUTUAL AID AND ASSISTANCE
AGREEMENTS WITH PARTICIPATING UNITS
IN THE COUNTY OF MONMOUTH**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. Seq., (“Act”) provides that any local governmental unit may enter into a contract with any other local governmental unit to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, emergency medical service, fire departments, fire companies, or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (“NIMS”), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq., provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14E-11 et. seq., commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75A et. seq.; and

WHEREAS, the Mayor and Council of the Borough of Rumson deem it to be in the best interests of the Borough of Rumson to enter into Mutual Aid and Assistance Agreements with governmental entities throughout Monmouth County and all of their departments, authorities, boards, commissions and other functions under the auspices of each participating governmental entity including but not limited to, law enforcement, public works, emergency medical services, emergency management, human services, hazardous materials response units technical or special operations teams, Community Emergency Response Team (“CERT”) members, Medical Reserve Corps (“MRC”) members or other volunteers and other jurisdictions defined “local governments” in the Homeland Security Act of 2002; and

WHEREAS, N.J.S.A. 40A: 14-26 AND 156.1 et seq. has authorized interjurisdictional mutual aid; and

WHEREAS, the Mayor and Council of the Borough of Rumson and the Participating Units recognize the benefit of entering into an Agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property of each individual jurisdiction;

NOW, THEREFORE, BE IT RESOLVED that the Intra-County Mutual Aid and Assistance Agreements between the Borough of Rumson and Participating Units be and are hereby accepted; and

BE IT FURTHER RESOLVED that the Mayor and Mayor and Borough Administrator are authorized to execute the Intra-County Mutual Aid and Assistance Agreements once they have been authorized and executed by each Participating Unit; and

BE IT FURTHER RESOLVED that the Borough Administrator forward a certified true copy of this resolution to the Monmouth County Sheriff; Office of Emergency Management Coordinator; and Police Department, Department of Public Works, Fire Department and Emergency Medical Services.

The above Resolution was moved for adoption by Councilman Day. Motion seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

RESOLUTION 2015-0310-45 AUTHORIZING THE BOROUGH'S ADOPTION OF THE MONMOUTH COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

2015-0310-45

**BOROUGH OF RUMSON,
COUNTY OF MONMOUTH IN THE STATE OF NEW JERSEY**

**RESOLUTION TO ADOPT
THE MONMOUTH COUNTY MULTI-JURISDICTIONAL
*HAZARD MITIGATION PLAN***

WHEREAS, the Borough of Rumson, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk; and

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan; and

WHEREAS, a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee; and

WHEREAS, the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

WHEREAS, the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that:

1. The Monmouth County Multi-Jurisdictional *Hazard Mitigation Plan*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on March 16, 2015 by the Monmouth County Office of Emergency Management is hereby adopted as an official plan of the Borough of Rumson; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The various Borough of Rumson departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough Council, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Monmouth County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

The above Resolution was moved for adoption by Councilman Rubin. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

RESOLUTION 2015-0310-46 AUTHORIZING AWARD OF A CONTRACT TO S. BROTHERS FOR THE 2014 ROAD IMPROVEMENT PROGRAM FOR A SECTION OF AVENUE OF TWO RIVERS, WARD LANE, CENTER STREET AND WASHINGTON STREET AND THE DEANE-PORTER SCHOOL PARKING LOT:

2015-0310-46

Councilman Broderick offered the following resolution and moved its adoption:

**RESOLUTION TO AUTHORIZE THE AWARD OF A CONTRACT
FOR THE BOROUGH'S 2014 ROAD IMPROVEMENTS TO S. BROTHERS**

WHEREAS, on March 4, 2015, nine (9) sealed bids were received for the Sections of Avenue of Two Rivers, Ward Lane, Center Street and Washington Street and Deane-Porter School Parking Lot; and

WHEREAS, the Borough Council has reviewed the bids and considered the recommendations of the Borough Engineer and Borough Attorney; and

WHEREAS, the Board of Education of the Borough of Rumson has provided written approval of Proposal C Bid for the Deane-Porter School Parking Lot; and

WHEREAS, the Borough Council finds that the lowest responsive bid from a responsible bidder, S. Brothers of South River, NJ for Proposal A for Avenue of Two Rivers in the amount of \$273,799.20; Proposal B for Ward Lane, Center Street and Washington Street in the amount of \$1,124,859.20; and Proposal C for Deane-Porter School Parking Lot in the amount of \$72,501.40—for a total bid in the amount of \$1,471,159.80; and

WHEREAS, funds are available to award the contract for Proposals A, B and C;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that it does hereby accept the bid of S. Brothers, 49 W. Groclowiak Street, South River, NJ 08882 in the amount of \$273,799.20; Proposal B for Ward Lane, Center Street and Washington Street in the amount of \$1,124,859.20; and Proposal C for Deane-Porter School Parking Lot in the amount of \$72,501.40—for a total bid in the amount of \$1,471,159.80 as recommended by the Borough Engineer by letter dated March 6, 2015, which is on file in the Municipal Clerk’s Office; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute the contract documents; and

BE IT FURTHER RESOLVED that the contract be awarded subject to approval by the New Jersey Department of Transportation, the New Jersey Department of Labor, Office of Wage and Hour Compliance and the review and approval of bid documents by the Borough Attorney.

BE IT FURTHER RESOLVED that the contract be awarded subject to a favorable determination from the New Jersey Department of Transportation; and

BE IT FURTHER RESOLVED that the contract be awarded subject to the availability of funds after the public comment period.

Resolution seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

TEMPORARY EMERGENCY APPROPRIATIONS RESOLUTION 2015-0310-47:

2015-0310-47

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the temporary appropriations previously adopted will be inadequate to the point when the 2015 Budget will be finally adopted; and

WHEREAS, N.J.S.A. 40A:4-20 states that the Governing Body may, by resolution adopted by a 2/3 vote of full membership, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the following emergency temporary appropriations, in addition to the temporary appropriations already adopted, be adopted, and it is stated that these emergency temporary appropriations shall be included in the 2015 Budget when adopted.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer, and the Director of the Division of Local Government Services.

Audit Services – Other Expenses	\$ 9,251.00
Buildings & Grounds – Salary & Wages	\$ 500.00
Buildings & Grounds – Other Expenses	\$ 2,500.00
P.E.R.S. – Retro	\$ 5,432.99

Resolution seconded by Councilman Day and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

RESOLUTION 2015-0310-48 AUTHORIZING THE REFUND OF REDEMPTION MONIES TO US BANK CUSTODIAN FOR PC5 STERLING NATIONAL FOR TAX CERTIFICATE #14-00007 FOR BLOCK 75, LOT 3:

2015-0310-48

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO US BANK CUST FOR PC5 STERLING NATIONAL

WHEREAS, at the Municipal Tax Sale held on December 2, 2014, a lien was sold on Block 75, Lot 3, also known as 6 Tyson Lane in Rumson, for 2013 delinquent sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #14-00007, was sold to US BANK Custodian for PC5 Sterling National, for a \$1,200.00 premium; and

WHEREAS, on behalf of the property owners, Thomas Stephans and Deborah Madey, Corelogic has effected redemption of Certificate #14-00007 in the amount of \$1,071.67.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby authorize the Chief Financial Officer to issue a check in the amount of \$2,271.67 payable to US Bank Custodian for PC5 Sterling National, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #14-00007; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer/Tax Collector.

Resolution seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Hemphill offered the following resolution and moved its adoption:

\$	265.80	NJ Dept Health/Sr Services
\$	265.80	Animal Control Account
\$	4,624.00	Tideflex Technologies
\$	21,173.37	T & M Associates
\$	25,797.37	Capital Account
\$	2,482.68	Jeffrey R Surenian & Assoc LLC
\$	2,482.68	COAH Trust Fund
\$	4.26	Cody T Lovgren
\$	65.00	Stephan L Green Trailers
\$	2,997.44	Allied Oil LLC
\$	629.40	Richard April
\$	270.00	APWA-NJ Chapter
\$	85.00	AR Communications
\$	314.70	Frederic S Bradley
\$	629.40	William & Dzintra L Brush
\$	64.00	Butch's Auto Car Wash Inc
\$	314.70	Mark Conley
\$	857.00	Cooper Electric Supply Co

\$	481.99	Cross Over Networks
\$	118.55	Detcon
\$	10.00	Carol Ann Dice
\$	1,949.34	Direct Energy Business
\$	713.00	Eastern Surplus & Equip Co
\$	307.70	Emergency Medical Products Inc
\$	6,510.00	Emergency Comm Network
\$	514.79	Fair Haven Hardware Inc
\$	1,726.80	Fastenal Co
\$	41.71	FedEx Techconnect Revenue Serv
\$	477.60	Harden W Fowler
\$	629.40	James F Gallagher
\$	517.50	Kevin Gaynor
\$	314.70	Ella D Gaynor
\$	120.00	Jane F Hartman
\$	314.70	John C Hendricks
\$	955.20	Robert Hoffman
\$	314.70	Barbara M Hoffman
\$	20,000.00	Holman Frenia Allison PC
\$	150.00	IACP
\$	552.00	Johnny on the Spot Inc
\$	91.50	Kepwel Natural Spring Water
\$	724.80	Iris O Kirkpatrick
\$	80.82	Lawes
\$	852.90	Level 3 Communications LLC
\$	629.40	Norman Long
\$	298.42	Mid-Atlantic Truck Centre Inc
\$	150.00	Mon Co Police Chief's Assn Inc
\$	13,846.26	Treasurer County of Monmouth
\$	80.00	Monmouth & Ocean Ctys TCTA
\$	162.50	County of Monmouth
\$	360.00	Monmouth Cty Police Academy
\$	120.00	Monmouth Ocean County
\$	629.40	Royal E & Virginia Moss
\$	150.00	Municipal Clerks Assn Monmouth
\$	314.70	Elizabeth N Murphy
\$	629.40	M Patricia Murphy
\$	78.47	Naylor's Auto Parts
\$	91.99	Neopost USA Inc
\$	9,109.51	New Jersey American Water
\$	2,020.85	NJ Natural Gas Co
\$	50.00	NJ State League of Municipalities
\$	89,192.99	State of NJ Pensions/Active
\$	43,092.58	State of NJ Pensions/Retiree
\$	338.00	NJ Water Environment Assoc
\$	314.70	James J Peluso
\$	755.60	PEP Express Parts
\$	92.00	Perry's Trophy Co Inc
\$	5,457.99	PERS
\$	31.98	Queen Vacuum Co
\$	314.70	Joseph Raniere
\$	2,750.00	Realty Appraisal Company
\$	477.60	Paul E Reinhold Jr
\$	35.08	Republic Services of NJ LLC
\$	1,845.41	Reussille Law Firm LLC
\$	320.00	Rex Sign Co
\$	460.00	Roy Press Printers
\$	1,984,913.84	Rumson Elementary School Dist
\$	1,629,015.92	RFH Regional High School
\$	724.80	Edward Rumolo
\$	477.60	J Gary Sammon
\$	629.40	James Scalzo
\$	48.00	Seaboard Welding Supply Inc
\$	314.70	Joan C Shea

\$	175.00	Siteco Materials Inc
\$	629.40	Joseph J Sorrentino
\$	250.00	State Shorthand Reporting Serv
\$	177.74	Staples Advantage
\$	415.61	Stavola Asphalt Co Inc
\$	3,024.75	Michael B Steib PA
\$	629.40	James Tanner
\$	86,973.25	T & M Associates
\$	1,000.00	Treasurer County of Monmouth
\$	115.07	Trico Equipment Services LLC
\$	314.70	Joseph E Tuzik Sr
\$	2,271.67	US Bank Cust for PC5 Sterling
\$	30.41	Verizon
\$	50.00	Wageworks
\$	190.95	George Wall Lincoln
\$	36.12	Warshauer Electric Supply
\$	314.70	Lorraine J Watson
\$	19.30	Werner Automotive
\$	20,126.15	Wilentz Goldman & Spitzer PA
\$	314.70	Donald York
\$	314.70	Robert Zerr
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\$	3,952,398.01	Current Fund
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\$	60.00	Perry's Trophy Co Inc
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\$	60.00	Endowment Inc Account
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\$	707,547.00	State of New Jersey – Pensions
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\$	707,547.00	Pension Account
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\$	330.72	Athlete's Alley
\$	160.00	Jackson Todd Balestro
\$	171.00	Crazee John's Inc
\$	32.00	Bruce Hilling
\$	180.00	Thomas Keyes
\$	900.00	MOSA
\$	36.55	Sarah Orsay
\$	32.00	Vincent Sabatino Jr
\$	32.00	Gary Sfraga
\$	3,000.00	Alex Shanley
\$	64.00	John Sieg Sr
\$	360.00	John Werner Jr
\$	32.00	Carolyn J Williams
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\$	5,330.27	Recreation Account
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\$	1,786.00	Everclear Development LLC
\$	52.00	Michael B Steib PA
\$	472.00	T & M Associates
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\$	2,310.00	Trust Account
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\$	88,138.27	Current Fund Appropriations
\$	3,864,259.74	Current Fund Appropriations
\$	265.80	Animal Control Fund Expenses
\$	25,797.37	Capital Fund Disbursements
\$	60.00	Endowment Disbursements
\$	5,330.27	Recreation Disbursements
\$	712,339.68	Trust Fund – Other Expenses
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\$	4,696,191.13	Total Of All Funds

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Conklin.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

COMMENTS FROM THE PUBLIC:

The Mayor afforded the public an opportunity to be heard at this time and no one responded.

ADJOURNMENT:

On motion by Councilman Rubin, seconded by Councilman Broderick, the meeting adjourned at 7:39 p.m. All in favor.

Respectfully submitted,

Thomas S. Rogers, R.M.C.
Municipal Clerk/Administrator